UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,959	01/29/2004	Kemal Delic	B-5368 621689-5	4555

7590 07/17/2006	EXAMINER
HEWLETT-PACKARD COMPANY	AHLUWALIA, NAVNEET K

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ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	10/768,959	DELIC ET AL.
	Examiner	**Art Unit**	
	Navneet K. Ahluwalia	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 January 2004</u>.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) <u>1-20</u> is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on <u>29 January 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date <u>09/07/2004</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____ .

DETAILED ACTION

1.   The application has been examined. Claims 1 – 20 are pending in this office

action.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1 – 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Boris

Chidlovskii ('Chidlovskii' herein after) (US 6,829,599 B2).

With respect to claim 1,

Chidlovskii discloses a process for measuring the performance of an information

retrieval system comprising a repository of content items associated with a search

mechanism that returns a rank for retrieved content items (Figure 1A), said process

comprising: when a content item is accessed by a user, recording an appreciation

assigned by the user to that content item (Figure 2), wherein the appreciation takes the

form of a flag being capable of being set at least positive or not positive (Figure 3

element 302); and using the recorded appreciations to calculate at least a first metric

representative of, or derived from, a ratio of positive to non-positive appreciations for the

repository (column 6 lines 64 – 67 and column 7 lines 1 – 7) and a second metric

representing, or derived from, an average rank of the content items when each such

content item receive positive appreciations (column 7 lines 8 – 22).

With respect to claim 2,

Chidlovskii discloses a process as claimed in claim 1 comprising storing the

appreciations in a database (column 8 lines 53 – 61).

With respect to claim 3,

Chidlovskii discloses a process as claimed in claim 1 comprising detecting

changes to at least one global metric and launching of a maintenance process of said

repository in response to said detected changes (column 7 lines 35 – 53).

With respect to claim 4,

Chidlovskii discloses a process as claimed in claim 1 wherein the detecting

comprises presenting the at least one metric to an administrator via a user interface

(column 9 lines 44 – 57).

With respect to claim 5,

Chidlovskii discloses a process as claimed in claim 4 wherein the user interface

allows the administrator to initiate a maintenance action (Figures 2, 3 and column 9

lines 44 – 57).

With respect to claim 6,

Chidlovskii discloses a process as claimed in claim 3 where the maintenance

process is initiated automatically (column 10 lines 1 – 18).

With respect to claim 7,

Chidlovskii discloses a process for maintaining a repository of documents having

a search engine for outputting lists of documents in response to a query (Figure 1A),

said process comprising the following steps: recording the individual appreciation or

flags individually assigned by the users (Figures 2, 3); repeatedly computing at least a

first and a second metric representative of the relevance of said repository (column 7

lines 62 – 67 and column 8 lines 1 – 6); said first metric being computed from the

number of documents having received positive flags from the users (column 6 lines 64 –

67 and column 7 lines 1 – 7) and said second metric being representative of the

average rank of the documents having received positive flags (column 7 lines 8 – 22);

controlling an action brought to said repository in response to a change in said first or

said second metrics (column 7 lines 35 – 53).

With respect to claim 8,

Chidlovskii discloses process according to claim 7 wherein said first metric is

computed as a ratio of the number documents consulted and having received a positive

flags versus the total number of documents consulted by the users (column 6 lines 64 –

67 and column 7 lines 1 – 7).

With respect to claim 9,

Chidlovskii discloses process according to claim 7 wherein said second metrics

is computed as the average rank within the outputted results for all the documents

having received a positive flag (column 7 lines 8 – 22).

With respect to claim 10,

Chidlovskii discloses process according to claim 7 comprising presenting a

graphical user interface for executing actions on said repository, said graphical user

interface displaying said at least first and said second metrics to the user (Figures 2, 3

and column 9 lines 44 – 57).

With respect to claim 11,

Chidlovskii discloses process according to claim 7 claim wherein said repository

of documents is embodied within a stand-alone computer which is connected to a

communication network and wherein a transaction with a server is automatically

initiated in response to the detection of a change of said at least first and second

metrics for the purpose of updating said repository (column 10 lines 1 – 18).

With respect to claim 12,

Chidlovskii discloses an information retrieval system comprising: a repository of

content items associated with a search mechanism, wherein the search mechanism

returns a rank for retrieved content items (Figure 1A); a user interface for presenting a

content item to a user and for enabling the user to record an appreciation for that

content item in relation to the access of the content item (Figures 2, 3); and a

management element for using the recorded appreciations to calculate at least a first

metric representative of, or derived from, a ratio of positive to non-positive appreciations

for the repository (column 6 lines 64 – 67 and column 7 lines 1 – 7) and a second metric

representing, or derived from, an average rank of the content items when each such

content item received positive appreciations (column 7 lines 8 – 22).

With respect to claim 13,

Chidlovskii discloses an information retrieval system as claimed in claim 12

comprising storing the appreciations in a database (column 8 lines 53 – 61).

With respect to claim 14,

Chidlovskii discloses an information retrieval system as claimed in claim 12

wherein the management element is arranged to detect changes to at least one global

metric and to launch of a maintenance process of said repository in response to said

detected changes (column 7 lines 35 – 53).

With respect to claim 15,

Chidlovskii discloses an information retrieval system as claimed in claim 12

comprising a user interface for presenting the at least one metric to an administrator via

a user interface (column 9 lines 44 – 57).

With respect to claim 16,

Chidlovskii discloses an information retrieval system as claimed in claim 12

wherein the user interface allows the administrator to initiate a maintenance action

(Figures 2, 3 and column 9 lines 44 – 57).

With respect to claim 17,

Chidlovskii discloses an information retrieval system as claimed in claim 12

wherein the maintenance process is initiated automatically (column 10 lines 1 – 18).

With respect to claim 18,

Chidlovskii discloses a process for measuring the performance of an information

retrieval system comprising a repository of content items associated with a search

mechanism that returns a rank for retrieved content items (Figure 1A), said process

comprising: when a content item is accessed by a user, recording an appreciation

assigned by the user to that content item (Figure 2), wherein the appreciation takes the

form of a flag being capable of being set at least positive or not positive (Figure 3

element 302); storing the appreciations and the ranks in a database (column 8 lines 53

– 61); and using the recorded appreciations to calculate at least a first metric

representative of, or derived from, a ratio of positive to non-positive appreciations for the

repository (column 6 lines 64 – 67 and column 7 lines 1 – 7) and a second metric

representing, or derived from, an average rank of the content items when each such

content item receive positive appreciations (column 7 lines 8 – 22); presenting at least

one of the metrics to an administrator via a user interface (column 9 lines 44 – 57);

detecting changes to at least one global metric and launching of a maintenance process

of said repository in response to said detected changes (column 7 lines 35 – 53).

With respect to claim 19,

Chidlovskii discloses a process as claimed in claim 18 where the maintenance

process is initiated automatically (column 10 lines 1 – 18).

With respect to claim 20,

Chidlovskii discloses a system for maintaining a repository of documents having

a search engine for outputting lists of document in response to a query (Figure 1A), said

system comprising: means for recording appreciations or flags individually assigned by

the users (Figures 2, 3); means for computing at least a first and a second metrics

representative of the relevance of said repository (column 7 lines 62 – 67 and column 8

lines 1 – 6); said first metrics being computed from the number of documents having

received positive flags (column 6 lines 64 – 67 and column 7 lines 1 – 7) and said

second metrics being representative of the average rank of the documents having

received positive flags from the users (column 7 lines 8 – 22); means for controlling an

action brought to said repository in response to a change brought to said first or said

second metrics (column 7 lines 35 – 53).

Contact Information

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Navneet K. Ahluwalia whose telephone number is 571-

272-5636. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Alam T. Hosain can be reached on 571-272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Navneet K. Ahluwalia
Examiner
Art Unit 2166

MOHAMMAD ALI
PRIMARY EXAMINER

Dated: 07/08/2006